

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT
OF NORTH CAROLINA**

THOMAS KRAKAUER,)	
)	
Plaintiff,)	CASE NO. 1:14-CV-00333-CCE-JEP
)	
v.)	
)	
DISH NETWORK LLC,)	
)	
Defendant.)	
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**DEFENDANT DISH NETWORK L.L.C.’S MOTION TO DISMISS OR, IN THE
ALTERNATIVE, DECERTIFY THE NDNC AND IDNC CLASSES BASED UPON
SPOKEO, INC. V. ROBINS AND INSUFFICIENT CLASS NOTICE**

Defendant DISH Network L.L.C. (“DISH”) moves to dismiss or, in the alternative, decertify the National Do-Not-Call Class and the Internal Do-Not-Call Class based upon the Supreme Court’s recent decision in *Spokeo, Inc. v. Robins*, 136 S. Ct. 1540 (2016) and insufficient class notice.

Dated: June 2, 2016

Respectfully submitted,

By: /s/ Peter A. Bicks
Peter A. Bicks
Elyse D. Echtman
John L. Ewald
ORRICK, HERRINGTON & SUTCLIFFE
LLP
51 West 52nd Street
New York, New York 10019
Telephone: (212) 506-5000
pbicks@orrick.com
eechtman@orrick.com
jewald@orrick.com

/s/ Eric Larson Zalud

Eric Larson Zalud

Benesch, Friedlander, Coplan & Aronoff LLP

200 Public Square, Suite 2300

Cleveland, Ohio 44114

Telephone: (216) 363-4588

ezalud@beneschlaw.com

/s/ Richard J. Keshian

Richard J. Keshian

North Carolina Bar No. 10681

Kilpatrick, Townsend & Stockton, LLP.

1001 West 4th Street

Winston-Salem, NC 27101

Telephone: (336) 607-7322

rkeshian@kilpatricktownsend.com

*Attorneys for Defendant DISH Network
L.L.C.*

CERTIFICATE OF SERVICE

The foregoing Motion was filed electronically on June 2, 2016. Notice of this filing will be sent to all parties registered with the Court's electronic filing system by operation of the Court's system. Parties may access this filing through the Court's electronic filing system.

/s/ Peter A. Bicks

Peter A. Bicks